

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL ACTION NO. 1:17-CV-049-MOC-DCK**

CHRISTOPHER M. HAYNES,)	
)	
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
NANCY A. BERRYHILL,)	
Acting Commissioner of Social Security,)	
)	
Defendant.)	
)	

THIS MATTER IS BEFORE THE COURT on Plaintiff's "Consent Motion For Payment Of Attorney Fees" (Document No. 21) filed April 9, 2018. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, and noting consent of Defendant, the undersigned will grant the motion.

It appearing to the Court that the Plaintiff is a prevailing party, within the meaning of the Equal Access to Justice Act, 28 U.S.C. § 2412(d), and that the parties have consented to an award of attorney's fees to the Plaintiff in the sum of \$4,000.00, for the representation and services of the Plaintiff's counsel of record to the Plaintiff in this litigation; and it further appearing to the Court that the Plaintiff has assigned his right to fees under the Equal Access to Justice Act to Christopher S. Stepp, counsel for the Plaintiff.

IT IS, THEREFORE, ORDERED that Plaintiff's "Consent Motion For Payment Of Attorney Fees" (Document No. 21) is **GRANTED**, and that Plaintiff shall be paid \$4,000.00, for attorney's fees in this civil action, pursuant to the Equal Access to Justice Act, 28 U.S.C. §

2412(d).

IT IS FURTHER ORDERED that awarded fees be paid to Christopher S. Stepp, Attorney, pursuant to the Assignment by Plaintiff. Payment of the fees is conditioned on there being no intervening offset of indebtedness owed by Plaintiff that would impede the collection and payment of the fee, as provided by applicable Federal law.

SO ORDERED.

Signed: April 9, 2018



David C. Keesler
United States Magistrate Judge 